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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,460	01/08/2002	Hartwig Schwier	P01,0299	4135

26574 7590 12/11/2006

SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
6600 SEARS TOWER  
CHICAGO, IL 60606-6473

EXAMINER
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MILIA, MARK R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/936,460

Applicant(s)

SCHWIER ET AL.

Examiner

Mark R. Milia

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 46-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 46-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment was received on 10/27/06 and has been entered and made of record. Currently, claims 46-49 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claim 46 have been considered but are moot in view of the current amendment to the claim and therefore new ground(s) of rejection will be made.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyders (US 5982996) in view of Heiney et al. (US 5983243).

Regarding claim 46, Snyders discloses a method for printing a document, comprising the steps of: outputting a document file for printing from an application running in a Windows or windows-like environment (see Fig. 1, column 3 lines 38-62,

column 4 lines 8-13, and column 6 lines 22-25), calling a print driver for the document file, said driver outputting the document file in EMF format, said driver being operable to always output documents in EMF format (see column 8 lines 9-35), transmitting the document file in EMF format to a spool file (see column 6 line 60-column 7 line 15 and column 9 lines 1-4), spooling the EMF format document file to a print processor (see column 7 lines 3-15, column 8 lines 14-35, and column 9 lines 5-6), transmitting the document file from the print processor to a converter for conversion from EMF format to a raw printer format (see column 9 lines 15-53), receiving a user input at a user interface (see column 8 lines 9-14 and 40-42), controlling the conversion from EMF format to the raw printer format according to the user input (see column 8 lines 9-43), outputting the document file in raw printer format to an output device (see column 3 lines 38-49, column 9 lines 50-53, and column 11 lines 32-37).

Snyders does not disclose expressly wherein said controlling step controls referencing of auxiliary information in a master document, said auxiliary information being transmitted separately from data of said master document.

Heiney discloses wherein said controlling step controls referencing of auxiliary information in a master document, said auxiliary information being transmitted separately from data of said master document (see Figs. 2 and 3, column 4 lines 19-67, and column 5 lines 37-49 and 57-65).

Snyders & Heiney are combinable because they are from the same field of endeavor, formatting document data for subsequent printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the controlling referencing of auxiliary information, which is transmitted separately from master document data, as described by Heiney, with the system of Snyders.

The suggestion/motivation for doing so would have been to increase printing speed and efficiency by allowing a computer system to process variable data and static (master) data separately and merge the data as necessary regardless of the type of printer and the format of the data in which the printer is capable of handling.

Therefore, it would have been obvious to combine Heiney with Snyders to obtain the invention as specified in claim 46.

Regarding claim 47, Snyders further discloses wherein said raw printer format is PCL format (see column 8 lines 3-6 and column 10 lines 20-21).

Regarding claim 48, Snyders further discloses wherein said output device includes a port monitor and a printer device connected to the port monitor (see Fig. 5 and column 9 lines 18-20).

Regarding claim 49, Heiney further discloses wherein said auxiliary information includes image information and said referencing includes location information of said information on a printed page (see Figs. 2 and 3, column 4 lines 19-67, and column 5 lines 37-49 and 57-65).

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

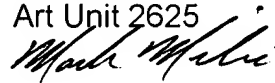
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MRM

A handwritten signature in black ink, appearing to read 'K. Y. Poon'.

KING Y. POON  
PRIMARY EXAMINER

Mark R. Milia  
Examiner  
Art Unit 2625

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